

**Amendment No. 3 to HB2201**

**Faison  
Signature of Sponsor**

**AMEND Senate Bill No. 2469**

**House Bill No. 2201\***

by deleting the last section and substituting instead the following:

SECTION \_\_\_\_\_. Tennessee Code Annotated, Section 62-6-104(a)(2), is amended by deleting the second sentence and substituting instead the following:

Appointments made pursuant to this subdivision (a)(2) shall be made by the governor following the vacation of the membership of the board in accordance with § 62-6-105(b)(1).

SECTION \_\_\_\_\_. Tennessee Code Annotated, Section 62-6-104(b), is amended by deleting the subsection and substituting instead the following:

(b) Any member who is absent from more than two (2) board meetings within a one-year period shall be automatically removed from the board and a new member shall be appointed to fill the remainder of the unexpired term.

SECTION \_\_\_\_\_. Tennessee Code Annotated, Section 62-6-105, is amended by deleting the section and substituting instead the following:

(a) Except as otherwise provided in subsection (b), the terms of the members of the board shall be four (4) years.

(b)

(1) The entire membership of the board as comprised on June 30, 2016, shall be vacated on July 1, 2016, and new members shall be appointed in accordance with this section and § 62-6-104.

(2) For purposes of staggering the terms of the newly appointed board members, the governor shall make initial appointments as follows:

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(A) One (1) residential contractor, one (1) commercial building contractor, and one (1) highway, railroad, or airport contractor shall be appointed for a term of two (2) years, which shall expire on June 30, 2018;

(B) One (1) residential contractor, one (1) commercial building contractor, and one (1) mechanical contractor shall be appointed for a term of three (3) years, which shall expire on June 30, 2019; and

(C) One (1) residential contractor, one (1) electrical contractor, and one (1) person who is not engaged in business as a contractor in this state shall be appointed for a term of four (4) years, which shall expire on June 30, 2020.

(c)

(1) Except as otherwise provided in subdivision (c)(2), following the expiration of the initial terms of members in accordance with subdivision (b)(2), each four-year term shall begin on July 1 and terminate on June 30, four (4) years thereafter.

(2) Each member shall serve until the expiration of the term to which the member was appointed and until the member's successor is appointed and qualified.

(3) Each member shall be eligible for reappointment to the board following the expiration of the term of the member; provided, that a member shall not serve more than two (2) consecutive four-year terms.

(4) A vacancy occurring other than by expiration of term shall be filled in the same manner as the original appointment; provided, that an appointment under this subdivision (c)(4) shall only be for the duration of the unexpired term.

(d) The governor may remove any member of the board for misconduct, incompetency, willful neglect of duty, or other just cause.

(e) Prior to assuming a member's duties, each member of the board shall take and subscribe to the oath of office provided for state officers.

(f) Each member shall have been a bona fide resident of this state for a period of at least five (5) years immediately preceding the member's date of appointment.

(g) Each member of the board shall be at least twenty-five (25) years of age and of good moral character.

(h) Each member who is engaged in business as a contractor in this state shall be of recognized standing in the member's branch of the contracting business.

SECTION \_\_\_\_\_. This act shall take effect July 1, 2016, the public welfare requiring it.